

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF RICHMOND

JONATHAN L. BOOKER,

Plaintiff,

v.

Case No.: *CL20-878-3*
JURY TRIAL DEMANDED

SYSCO CORPORATION,

**Serve: Sysco Corporation
Corporation Service Company, Registered Agent
100 Shockoe Slip, FL 2
Richmond, VA 23219-4100
(City of Richmond)**

THE SYGMA NETWORK, INC.,

**Serve: The Sygma Network, Inc.
Corporation Service Company, Registered Agent
100 Shockoe Slip, FL 2
Richmond, VA 23219-4100
(City of Richmond)**

THE SYGMA NETWORK OF PENNSYLVANIA, INC.,

**Serve: The Sygma Network of Pennsylvania, Inc.
Beverley L. Crum, Esquire, Registered Agent
100 Shockoe Slip, FL 3
Richmond, VA 23219
(City of Richmond)**

AND

CODY W. JONES,

**Serve: c/o Kari Ellis
Office of the Secretary of the Commonwealth
Service of Process Department
1111 East Broad Street, 4th Floor
Richmond, VA 23219
(City of Richmond)**

Defendants.



COMPLAINT

Plaintiff, by counsel, for his Complaint, moves for judgment against the Defendants, Sysco Corporation; The Sygma Network, Inc.; The Sygma Network of Pennsylvania, Inc. and Cody W. Jones, jointly and severally, in the amount set forth below:

1. Jonathan L. Booker ("Plaintiff") is a resident of Chesterfield County, Virginia.

2. Defendant Cody W. Jones ("Defendant Jones"), upon information and belief, is a resident of Shippensburg, Pennsylvania.

3. Defendant Sysco Corporation ("Defendant Sysco"), is a corporation organized pursuant to the laws of the State of Delaware with its principal office in Houston, Texas. Defendant Sygma regularly conducts business in the Richmond metropolitan area and its Registered Agent is located in the City of Richmond, Virginia.

4. Defendant The Sygma Network, Inc. ("Defendant Sygma") is a corporation organized pursuant to the laws of the State of Delaware with its principal office in Houston, Texas. Defendant Sygma regularly conducts business in the Richmond metropolitan area and its Registered Agent is located in the City of Richmond, Virginia.

5. Defendant The Sygma Network of Pennsylvania, Inc. ("Defendant Sygma PA") is a corporation organized pursuant to the laws of the State of Delaware with its principal office in Mechanicsburg, Pennsylvania. Defendant Sygma PA regularly conducts business in the Richmond metropolitan area and its Registered Agent is located in the City of Richmond, Virginia.

6. Defendant Sysco, Defendant Sygma and Defendant Sygma PA are herein collectively referred to as "Defendant Corporations".

7. Defendant Jones, at all material times, was an employee, statutory employee, and/or agent of Defendant Corporations and was acting within the scope of his employment and/or agency at the time of the crash that is the subject of this Complaint. Accordingly, Defendant Corporations are vicariously liable for the negligent and tortious conduct of Defendant Jones alleged herein.

8. On or about March 7, 2018, at approximately 1:00 p.m., Plaintiff, was operating a 2015 Kenworth pump truck, traveling in a westerly direction in the right hand lane, of Interstate 64, east of the Merrimac Trail exit, in York County, Virginia. Plaintiff had activated his flashing amber lights on the truck and his right turn signal; and his rear brake lights illuminated as he was slowing down in preparation for his stop on the right shoulder of the Interstate at a work zone, where his employer had contracted to perform storm drainage and pipe clearing work.

9. At all material times, Area Wide Protective was providing a mobile shoulder closure of the right shoulder at the work zone, which provided additional notice to drivers heading westbound to exercise caution in that area.

10. At that same time and place, Defendant Jones, was operating Defendant Corporations' 2014 Volvo tractor trailer traveling in a westerly direction in the right hand lane on Interstate 64, behind Plaintiff.

11. At all material times, Defendant Jones had a duty to operate Defendant Corporations' tractor trailer with reasonable care and due regard for others using the road, including but not limited to maintaining a safe distance behind other vehicles; maintaining a proper lookout; keeping the vehicle under proper control; operating the vehicle at a reasonable speed under the circumstances; operating the vehicle in a safe manner; in complying with all

applicable federal and state motor carrier regulations; and otherwise obeying all applicable rules of the road.

12. Notwithstanding these duties, Defendant Jones carelessly, recklessly and negligently, failed to slow down, or change lanes, and notwithstanding the notice to Defendant Jones, that Plaintiff was slowing down in preparation to stop and pull onto the shoulder, Defendant Jones crashed Defendant Corporations' tractor trailer into the rear of Plaintiff's vehicle, caused a violent crash, and pushed Plaintiff's vehicle through the guardrail, off the roadway, and into a pole, on the right hand side of the Interstate.

13. As a direct and proximate result of the negligence of the Defendants, Plaintiff was caused to sustain serious and permanent injuries; has suffered and will continue to suffer great pain of body and mind and inconvenience; has incurred and will continue to incur medical bills in an effort to be cured of said injuries; and has incurred and will continue to incur loss of income and loss of earning capacity.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, in the amount of \$17,500,000.00 in compensatory damages, together with pre-judgment and post-judgment interest thereon from March 7, 2018 until paid, his costs in this matter expended and such other relief that is just and proper under the circumstances.

Trial by jury is demanded.

JONATHAN L. BOOKER

By

Of Counsel

S. Geoffrey Glick, Esquire (VSB# 28800)
Joel D. Bieber, Esquire (VSB# 28319)
The Joel Bieber Firm
6806 Paragon Place, Suite 100
Richmond, VA 23230
(804) 358-2200
(804) 358-2262 (Facsimile)

COVER SHEET FOR FILING CIVIL ACTIONS
 COMMONWEALTH OF VIRGINIA

 Case No. _____
 (CLERK'S OFFICE USE ONLY)

City of Richmond

Circuit Court

Jonathan L. Booker

PLAINTIFF(S)

v./In re: Sysco Corporation; The Sygma Network, Inc.; The Sygma

DEPENDANT(S)

Network of Pennsylvania, Inc.; and Cody W. Jones

 I, the undersigned ☐ plaintiff ☐ defendant ☒ attorney for ☒ plaintiff ☐ defendant hereby notify the Clerk of Court that I am filing the following civil action. (Please indicate by checking box that most closely identifies the claim being asserted or relief sought.)
GENERAL CIVIL**Subsequent Actions**

- ☐ Claim Impleading Third Party Defendant
- ☐ Monetary Damages
- ☐ No Monetary Damages
- ☐ Counterclaim
- ☐ Monetary Damages
- ☐ No Monetary Damages
- ☐ Cross Claim
- ☐ Interpleader
- ☐ Reinstatement (other than divorce or driving privileges)
- ☐ Removal of Case to Federal Court

Business & Contract

- ☐ Attachment
- ☐ Confessed Judgment
- ☐ Contract Action
- ☐ Contract Specific Performance
- ☐ Detinue
- ☐ Garnishment

Property

- ☐ Annexation
- ☐ Condemnation
- ☐ Ejectment
- ☐ Encumber/Sell Real Estate
- ☐ Enforce Vendor's Lien
- ☐ Escheatment
- ☐ Establish Boundaries
- ☐ Landlord/Tenant
- ☐ Unlawful Detainer
- ☐ Mechanics Lien
- ☐ Partition
- ☐ Quiet Title
- ☐ Termination of Mineral Rights

Tort

- ☐ Asbestos Litigation
- ☐ Compromise Settlement
- ☐ Intentional Tort
- ☐ Medical Malpractice
- ☒ Motor Vehicle Tort
- ☐ Product Liability
- ☐ Wrongful Death
- ☐ Other General Tort Liability

ADMINISTRATIVE LAW

- ☐ Appeal/Judicial Review of Decision of (select one)
- ☐ ABC Board
- ☐ Board of Zoning
- ☐ Compensation Board
- ☐ DMV License Suspension
- ☐ Employee Grievance Decision
- ☐ Employment Commission
- ☐ Local Government
- ☐ Marine Resources Commission
- ☐ School Board
- ☐ Voter Registration
- ☐ Other Administrative Appeal

DOMESTIC/FAMILY

- ☐ Adoption
- ☐ Adoption – Foreign
- ☐ Adult Protection
- ☐ Annulment
- ☐ Annulment – Counterclaim/Responsive Pleading
- ☐ Child Abuse and Neglect – Unfounded Complaint
- ☐ Civil Contempt
- ☐ Divorce (select one)
- ☐ Complaint – Contested*
- ☐ Complaint – Uncontested*
- ☐ Counterclaim/Responsive Pleading
- ☐ Reinstatement – Custody/Visitation/Support/Equitable Distribution
- ☐ Separate Maintenance
- ☐ Separate Maintenance Counterclaim

WRITS

- ☐ Certiorari
- ☐ Habeas Corpus
- ☐ Mandamus
- ☐ Prohibition
- ☐ Quo Warranto

PROBATE/WILLS AND TRUSTS

- ☐ Accounting
- ☐ Aid and Guidance
- ☐ Appointment (select one)
- ☐ Guardian/Conservator
- ☐ Standby Guardian/Conservator
- ☐ Custodian/Successor Custodian (UTMA)
- ☐ Trust (select one)
- ☐ Impress/Declare/Create
- ☐ Reformation
- ☐ Will (select one)
- ☐ Construe
- ☐ Contested

MISCELLANEOUS

- ☐ Amend Death Certificate
- ☐ Appointment (select one)
- ☐ Church Trustee
- ☐ Conservator of Peace
- ☐ Marriage Celebrant
- ☐ Approval of Transfer of Structured Settlement
- ☐ Bond Forfeiture Appeal
- ☐ Declaratory Judgment
- ☐ Declare Death
- ☐ Driving Privileges (select one)
- ☐ Reinstatement pursuant to § 46.2-427
- ☐ Restoration – Habitual Offender or 3rd Offense
- ☐ Expungement
- ☐ Firearms Rights – Restoration
- ☐ Forfeiture of Property or Money
- ☐ Freedom of Information
- ☐ Injunction
- ☐ Interdiction
- ☐ Interrogatory
- ☐ Judgment Lien-Bill to Enforce
- ☐ Law Enforcement/Public Official Petition
- ☐ Name Change
- ☐ Referendum Elections
- ☐ Sever Order
- ☐ Taxes (select one)
- ☐ Correct Erroneous State/Local
- ☐ Delinquent
- ☐ Vehicle Confiscation
- ☐ Voting Rights – Restoration
- ☐ Other (please specify)

☒ Damages in the amount of \$ 17,500,000.00 are claimed.

02/20/2020

DATE

S. Geoffrey Glick, Esquire

PRINT NAME

6806 Paragon Place, Suite 100, Richmond, VA 23230

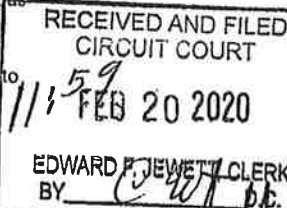
ADDRESS/TELEPHONE NUMBER OF SIGNATOR

(804) 358-2200

GGlick@joelbieber.com

EMAIL ADDRESS OF SIGNATOR (OPTIONAL)

FORM CC-1416 (MASTER) PAGE ONE 07/16



*"Contested" divorce means any of the following matters are in dispute: grounds of divorce, spousal support and maintenance, child custody and/or visitation, child support, property distribution or debt allocation. An "Uncontested" divorce is filed on no fault grounds and none of the above issues are in dispute.

**Civil Action Type Codes
(Clerk's Office Use Only)**

Accounting	ACCT	Ejectment	EJET
Adoption	ADOP	Encumber/Sell Real Estate	RE
Adoption – Foreign	FORA	Enforce Vendor's Lien	VEND
Adult Protection	PROT	Escheatment	ESC
Aid and Guidance	AID	Establish Boundaries	ESTB
Amend Death Certificate	ADC	Expungement	XPUN
Annexation	ANEX	Forfeiture of Property or Money	FORF
Annulment	ANUL	Freedom of Information	FOI
Annulment – Counterclaim/Responsive Pleading ..	ACRP	Garnishment	GARN
Appeal/Judicial Review		Injunction	INJ
ABC Board	ABC	Intentional Tort	ITOR
Board of Zoning	ZONE	Interdiction	INTD
Compensation Board	ACOM	Interpleader	INTP
DMV License Suspension	JR	Interrogatory	INTR
Employment Commission	EMP	Judgment Lien – Bill to Enforce	LIEN
Employment Grievance Decision	GRV	Landlord/Tenant	LT
Local Government	GOVT	Law Enforcement/Public Official Petition	LEP
Marine Resources	MAR	Mechanics Lien	MECH
School Board	JR	Medical Malpractice	MED
Voter Registration	AVOT	Motor Vehicle Tort	MV
Other Administrative Appeal	AAPL	Name Change	NC
Appointment		Other General Tort Liability	GTOR
Conservator of Peace	COP	Partition	PART
Church Trustee	AOCT	Permit, Unconstitutional Grant/Denial by Locality LUC	
Custodian/Successor Custodian (UTMA)	UTMA	Petition – (Miscellaneous)	PET
Guardian/Conservator	APPT	Product Liability	PROD
Marriage Celebrant	ROMC	Quiet Title	QT
Standby Guardian/Conservator	STND	Referendum Elections	ELEC
Approval of Transfer of Structured Settlement	SS	Reinstatement (Other than divorce or driving	
Asbestos Litigation	AL	privileges)	REIN
Attachment	ATT	Removal of Case to Federal Court	REM
Bond Forfeiture Appeal	BFA	Restore Firearms Rights – Felony	RFRF
Child Abuse and Neglect – Unfounded Complaint ..	CAN	Restore Firearms Rights – Review	RFRR
Civil Contempt	CCON	Separate Maintenance	SEP
Claim Impleading Third Party Defendant –		Separate Maintenance – Counterclaim/Responsive	
Monetary Damages/No Monetary Damages	CTP	Pleading	SCRP
Complaint – (Miscellaneous)	COM	Sever Order	SEVR
Compromise Settlement	COMP	Sex Change	COS
Condemnation	COND	Taxes	
Confessed Judgment	CJ	Correct Erroneous State/Local	CTAX
Contract Action	CNTR	Delinquent	DTAX
Contract Specific Performance	PERF	Termination of Mineral Rights	MIN
Counterclaim – Monetary Damages/No Monetary		Trust – Impress/Declare/Create	TRST
Damages	CC	Trust – Reformation	REFT
Cross Claim	CROS	Uniform Foreign Country Money Judgments	RFCJ
Declaratory Judgment	DECL	Unlawful Detainer	UD
Declare Death	DDTH	Vehicle Confiscation	VBH
Detinue	DET	Voting Rights – Restoration	VOTE
Divorce		Will Construction	CNST
Complaint – Contested/Uncontested	DIV	Will Contested	WILL
Counterclaim/Responsive Pleading	DCRP	Writs	
Reinstatement – Custody/Visitation/Support/		Certiorari	WC
Equitable Distribution	CVS	Habeas Corpus	WHC
Driving Privileges		Mandamus	WM
Reinstatement pursuant to § 46.2-427	DRIV	Prohibition	WP
Restoration – Habitual Offender or		Quo Warranto	WQW
3 rd Offense	REST	Wrongful Death	WD

THE
JOEL BIEBER
FIRM

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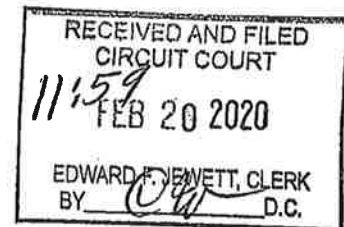
LICENSED TO PRACTICE IN:

*VA ♦NC ♦SC ■GA ★LA ♦DC ♦WV ●MD ★MA ▲NJ
▲of Counsel

February 20, 2020

VIA HAND DELIVERY:

Edward F. Jewett, Clerk
City of Richmond Circuit Court
John Marshall Courts Building
Law Division
400 North Ninth Street
Richmond, VA 23219



RE: Jonathan L. Booker v. Sysco Corporation, The Sygma Network, Inc., The Sygma Network of Pennsylvania, Inc. and Cody W. Jones

Dear Mr. Jewett:

Enclosed for filing are the Civil Cover Sheet, the original Complaint, and our Firm's check for \$346.00 for the filing fee in the above referenced matter.

I *am not* requesting service at this time. We will forward service copies of the Complaint, Discovery, and instructions regarding service at a later date.

✓ Also enclosed is a copy of the Complaint to be retained for my records. Please date-stamp this copy as "Filed" and return it to me in the prepaid, self-addressed envelope provided.

Thank you for your assistance. If you have any questions, please call me.

Sincerely,


S. Geoffrey Glick

SGG/awa
enclosures
cc: Jonathan L. Booker